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July 11, 2022

VIA ECF

Hon. Jesse M. Furman
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 1105
New York, NY 10007

Re: *Pasquarello v. Crothall Health Care, Inc., et al.*, Case No. 21-cv-08732-JMF

Dear Judge Furman,

We represent Defendants Crothall Healthcare, Inc. and Michael Roche and write the Court with the consent of Plaintiff's counsel. On May 27, 2022, Plaintiff requested, with our consent, an extension of the deadline to file their opposition to our motion to compel arbitration and to extend the deadline by which the parties must complete discovery to July 22, 2022. (ECF Docket No. 23.) On May 31, 2022, the Court granted Plaintiff's request. (ECF Docket No. 24.) On June 26, 2022, the Court ordered the parties to attend a conference regarding the parties' outstanding motions. (ECF No. 32.) The parties attended the conference on June 28, 2022. During the conference, the Court informed the parties to comply with the discovery schedule ordered on May 31, 2022. (ECF No. 33.) The parties have complied in good faith with the Court's order. Defendants provided their response to Plaintiff's deficiency letter on July 11, 2022, and the parties have worked to schedule all of the depositions we require – six in total – for the month of July. Three of the depositions, including Plaintiff's deposition, are scheduled to be completed by July 15, 2022. Despite these efforts, the parties have been unable to schedule the three remaining depositions within the current discovery schedule.

Following the receipt of Defendants' supplemental production, which was received on July 11, 2022, Plaintiff intends to depose three previously noticed individuals including Defendants' Federal Civil Rule 30(b)(6) witness. Two of these individuals are unavailable during the week of July 17, which is the last week before discovery is presently scheduled to close. In addition, the parties were just made aware that another deponent is unavailable to participate in a deposition this month because of serious medical issues. The parties agree that the deposition of this individual should not hold up any discovery deadline, provided the deposition takes place before trial. For these reasons, we respectfully request that the Court grant the

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parties a two-week extension of the discovery deadline until August 5, 2022. The parties have identified dates that will work within the requested time period and will finalize deposition dates for the remaining deponents, aside from the medically-ill deponent, by this Friday, July 15, 2022. The parties also request that the medically ill prospective deponent is allowed to be deposed at a mutually agreed to date in the future.

This is the parties' second request for an extension. We thank the Court for its consideration of this extension request.

Respectfully submitted,

/s/ Zack Sharpe

Zack G. Sharpe, IV

cc: All counsel of record (via ECF)

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